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Belkin International, Inc., Cisco-Linksys

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Inc.

12
13 *[SEE SIGNATURE PAGE FOR ADDITIONAL
COUNSEL LISTING]*

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 OAKLAND DIVISION

17 OPTIMUMPATH, L.L.C.,

18 Plaintiff,

19 vs.

20 BELKIN INTERNATIONAL, INC.,
21 BUFFALO TECHNOLOGY (USA), INC.,
22 CISCO-LINKSYS L.L.C., COMPEX INC.,
D-LINK SYSTEMS, INC., NETGEAR, INC.
and SMC NETWORKS, INC.,

23 Defendants.

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CASE NO. 4:09-CV-1398-CW

**JOINT MOTION TO EXTEND
DEADLINE TO COMPLY WITH
PATENT L.R. 4-2**

24
25 Plaintiff, OptimumPath, L.L.C. and Defendants Belkin International, Inc., Buffalo

26 Technology (USA), Inc., Cisco-Linksys L.L.C., Compex, Inc., D-Link Systems, Inc., Netgear, Inc.

27 and SMC Networks, Inc. (collectively, "the Parties") hereby jointly move to extend the October 7,

1 2009 deadline (as set in the Court's July 21, 2009 Case Management Order) to comply with Patent
2 L.R. 4-2 until October 15, 2009.

3 Pursuant to the Court's July 21st Case Management Order the Parties are to exchange
4 preliminary claim constructions and preliminary identifications of extrinsic evidence on October 7,
5 2009. However, the Parties are currently in discussions about seeking further extensions of certain
6 claim constructions deadlines currently set forth in the Case Management Order. In order to allow
7 the Parties sufficient time to confer with regard to these issues, the Parties seek an extension of the
8 October 7, 2009 deadline. It is anticipated that this additional time will allow the Parties to reach
9 agreement on further scheduling issues. This modest extension will not affect any other dates
10 currently set forth in the Court's Case Management Order.

11 Therefore, the Parties respectfully request that the Court extend the deadline for
12 compliance with Patent L.R. 4-2 from October 7, 2009 until and including October 15, 2009. A
13 proposed order is submitted herewith.

14 Respectfully submitted,

15 DATED: October 7, 2009

GOLDSTEIN, FAUCETT & PREBEG, LLP

17 By /s/

Edward W. Goldstein

Counsel for Plaintiff OptimumPath, L.L.C.

19 DATED: October 7, 2009

QUINN EMANUEL URQUHART OLIVER &
20 HEDGES, LLP

22 By /s/

Carl Anderson

23 Attorneys for Defendants

24 Belkin International, Inc., Cisco-Linksys LLC,

25 D-Link Systems, Inc. and NETGEAR Inc.

1 DATED: October 7, 2009

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11 Attorneys for Defendants

12 Buffalo Technology (USA), Inc., and

SMC Networks, Inc.

13 DATED: October 7, 2009

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Buffalo Technology (USA), Inc.

25 DATED: October 7, 2009

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I attest that Eric Benisek, Frank West and Bruce Brunda have authorized me to sign electronically this document on their behalf.

Dated: October 7, 2009

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By: /s/

Carl. G. Anderson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

OPTIMUMPATH, L.L.C.,

Plaintiff,

vs.

BELKIN INTERNATIONAL, INC.,
BUFFALO TECHNOLOGY (USA), INC.,
CISCO-LINKSYS L.L.C., COMPEX INC.,
D-LINK SYSTEMS, INC., NETGEAR, INC.
and SMC NETWORKS, INC.,

Defendants.

CASE NO. 4:09-CV-1398-CW

JURY TRIAL DEMANDED

**[PROPOSED] ORDER GRANTING JOINT MOTION TO EXTEND DEADLINE
TO COMPLY WITH PATENT L.R. 4-2**

CAME FOR CONSIDERATION the Joint Motion to Extend Deadline to Comply with
Patent L.R. 4-2. After consideration, the Court finds the Motion should be GRANTED.

IT IS THEREFORE ORDERED that the deadline to comply with Patent L.R. 4-2
is extended from October 7, 2009 until and including October 15, 2009.